

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

METHVEN AND ASSOCIATES
PROFESSIONAL CORPORTATION,

Plaintiff,

v.

SCARLETT PARADIES-STROUD, as
administrator of the ESTATE OF ANDREW
B. STROUD, et al.,Defendants.

No. C 13-01079 JSW

**ORDER PARTIALLY
DISCHARGING ORDER TO
SHOW CAUSE**

Yesterday, the Court issued an Order to Show Cause (“OSC”) to counsel for Scarlett Paradies-Stroud (“Paradies-Stroud”) as the administrator of the Estate of Andrew B. Stroud (“Stroud Estate”), Andy Stroud, Inc. (“ASI”), and Stroud Productions and Enterprises, Inc. (“SPE”) (collectively referred to as “Stroud Defendants”) to Show Cause (“OSC”) in writing by no later than November 22, 2013 why he should not be sanctioned in the amount of \$500 for failing to participate in and file a joint case management statement by November 8, 2013 as was required for the case management conference scheduled for November 15, 2013. The OSC was premised in part on the fact that Methven & Associates Professional Corporation (“Methven”) attested to contacting W. Charles Robinson, counsel for the Stroud Defendants, on October 7, 2013 regarding the required joint conference statement, well in advance of the November 8, 2013 deadline. (Declaration of April Sommer, ¶ 2.) However, after the Court issued the OSC, Methven filed a corrected declaration, stating that Methven did not attempt to contact Mr.

1 Robinson until *November 7*, one day before the joint case management statement was due to be
2 filed. (Corrected Declaration of April Sommer, ¶ 2.) That is not sufficient time to allow the
3 parties to meet and confer and file a joint case management statement. Although Mr. Robinson
4 had an independent obligation to contact Methven as well, the Court does not find that sanctions
5 are warranted at this time. Accordingly, the Court DISCHARGES the OSC with respect to Mr.
6 Robinson's failure to timely meet and confer and file a joint case management statement. All
7 parties are hereby admonished that any future failure to meet and confer in advance of the date
8 the next case management statement is due and participate in the joint statement will be
9 sanctioned. The parties shall start the meet and confer process no less than one week before the
10 joint statement is due to be filed.

11 This Order does not discharge the OSC regarding the Stroud Defendants' failure to file
12 an opposition or statement of non-opposition to the motion to deposit property.

13 **IT IS SO ORDERED.**

14
15 Dated: November 15, 2013



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE